



ARKANSAS JUDICIARY

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Rule 65.1. Security; Proceedings Against Sureties.

Whenever these rules require or permit the giving of security by a party and security is given in the form of a bond or stipulation or other undertaking with one or more sureties, each surety submits himself to the jurisdiction of the court and irrevocably appoints the clerk of the court as his agent upon whom any papers affecting his liability on the bond may be served. His liability may be enforced on motion without the necessity of an independent action. The motion and such notice of the motion as the court prescribes may be served on the clerk of the court who shall forthwith mail copies to the sureties if their addresses are known.

Reporter's Notes to Rule 65.1: - 1. With the exception of the deletion of the references to admiralty and maritime claims, Rule 65.1 is otherwise identical to FRCP 65.1. This rule does not work any changes in Arkansas law as the substance of the rule has heretofore been in effect. Superseded Ark. Stat. Ann. 27-2107.3 (Repl. 1962), which governed supersedeas bonds was almost verbatim with this and FRCP 65.1.

2. With reference to bonds which were posted in order to obtain injunctive relief, superseded Ark. Stat. Ann. 32-310 (Repl. 1962) provided essentially the same procedure for reducing a claim against a surety to judgment.

Associated Court Rules:

Rules of Civil Procedure

Group Title:

VIII. Counsel; Provisional and Final Remedies; Suits in Forma Pauperis

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